FOREST DEPARTMENT.

The 21st December 1897.

The following notification as now amended is republished for information :—

Notification, dated 20th September 1897.

The following extract from the Transit Rules in force in the Bombay Presidency, as framed under Section 41 of the Indian Forest Act, 1878, (as amended by Act V of 1890) is published for the information of the exporters of forest produce from Mysore into North Kanara and Dharwar Districts of the Southern Circle of the Bombay Presidency.

Rule 3.*—No timber or other forest produce shall be moved within any district of the Bombay Presidency except within the limits of a reserved Forest (whether a village forest or not) or of a protected forest,

and, except as is hereinafter otherwise provided, no timber or other forest produce shall be moved from or into any such district,

without a pass from a Conservator of Forests, or from some Officer, empowered by a Conservator of Forests, or from some person duly authorized under Rule 13 to issue such pass, or otherwise than in accordance with the conditions of such pass:

Provided that nothing in this Rule shall be deemed—

(*a*) to apply to timber or forest produce which is the property of Government, or

(*b*) to apply to timber or other forest produce, the property of one person, or the joint property of two or more persons, which is conveyed in quantities not exceeding one head load once in twenty-four hours, or

†(*c*) to require a pass for the removal of any timber or other forest produce within the limits of the village in which it was produced.

Rule 5.—In the case of timber or other forest produce which it is wished to import otherwise than by sea from any place beyond the frontier of British India, no pass shall be issued under Rule 3 unless upon production of a "Foreign Pass" covering such timber or other forest produce, nor, if such timber be of large scantling, unless it bears a foreign property-mark.

Rule 6.—Every such foreign pass must be in a form, and every such foreign property-mark must be of a description, which has been registered in the office of the Conservator of Forests of the Division into which it is sought to import such timber, or forest produce, and such foreign pass must bear the signature of some Officer or other person whose name or official designation has been duly registered in the said office as an Officer or person duly authorized to sign such passes.

Rule 7.—Any timber or other forest produce which it is wished to import otherwise than by sea from any place beyond the frontier of British India, may be conveyed within such frontier by any of the routes named in Appendix A or by such routes as may be prescribed by the Conservator of Forests or by any Officer of Government authorized by him in that behalf as far as the first depôt on such route established under Rule 15, without a pass under Rule 3, if it is covered by a foreign pass in proper form and duly signed, and if, in the case of timber of large scantling, it is marked with a registered foreign property-mark, but not otherwise.

No such timber or forest produce shall be stacked or deposited in any place between the frontier and such depôt, or be moved beyond such depôt, without a pass issued under the said Rule.

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* The following Rule has been made under Section 157, clause (*c*) of the Sea Customs Act :—

No timber, firewood, bamboos, myrabolams and shikakai shipped at any place declared under Section 12 of the Sea Customs Act, 1878, to be a port or at any Customs port, except the port of Bombay and the ports in Sind and in the Districts of Ahmedabad, Kaira and Broach, may be carried in a coasting vessel;

(*a*) unless at the time of shipment the shipper appends to his shipping bill a pass in one or other of the forms hereinafter mentioned covering such timber, firewood, bamboos, myrabolams and shikakai; nor

(*b*) until the Customs Collector at the port of shipment shall have certified by endorsement on the Shipping Bill that a pass as aforesaid has been produced before him and cancelled by him.

The pass required by this Rule shall be either a pass granted by a competent Officer under No. 3 of the Rules framed by Government under Section 41 of the Indian Forest Act, 1878, and published at page 689 of the Bombay Government Gazette for 1880, Part I, or a pass granted for the purpose of this Rule by an Officer belonging to any of the classes mentioned below:—

Mamlatdars, Head Karkuns, General Duty Karkuns, Talatis, Kul Karnis, Mahalkaris.

(Notification No. 5421, Bombay Government Gazette, 1884, page 500, and Notification No. 941, Bombay Government Gazette, 1885, page 144.)

† Memo by L. R.:—Land which is declared to be a reserved or protected forest does not cease to form part of the village in which it was originally situated merely because it becomes a forest. I think, therefore, that proviso (*c*) to No. 3 of the Rules under Section 41 of the Forest Act dispenses with the necessity of a pass for timber taken from a reserved or protected forest to any other part of the same village in which such forest is situated. (G. R. No. 3806 of 26th May 1886, R. D.)

Rule 8.—If the Conservator of Forests of the Division shall so direct, no timber of large scantling, which has been imported as aforesaid by any particular route, shall be moved beyond such first depôt without first having a Government transit mark of such description as the said Conservator shall prescribe stamped upon it.

Rule 13.—The Conservator of Forests may, if he thinks fit, at any time, by an order in writing;

(*a*) Authorize any person who is an owner of timber or other forest produce, or the agent of any such owner, to issue passes under Rule 3 in respect of any timber or other forest produce which belongs to such person, or to the person for whom such person is agent, and

(*b*) Cancel such authorization.

When the Conservator of Forests authorizes any person under clause (*a*) of this Rule he shall furnish such person from time to time with authenticated books of blank printed forms of passes with the particulars required by clauses (4) and (5) of Rule 4 already filled in, and no alteration shall be made by such person in any of the said particulars, or if made, shall have any validity.

The said person shall pay for each such book such sum as shall from time to time be determined by the Conservator of Forests, and in the event of an order being passed by the Conservator of Forests under clause (*b*) of this Rule, shall at once return to the said Conservator of Forests every unused book and every unused portion of any such book then remaining in his possession, and shall be entitled to receive back the amount paid by him in respect of such unused book or portion of a book.

No pass issued by any such person after the issue of an order under clause (*b*) of this Rule, and no pass issued by him which is not on a form supplied to him as aforesaid, shall have any validity.

Rule 15. The Conservator of Forests may establish at such convenient places as he shall think fit, on the routes by which timber or other forest produce may lawfully be conveyed, depôts to which such timber or other produce shall be taken for all or any of the following purposes (namely):—

for examination previous to the grant of a pass in respect thereof under Rule 3 or under Rule 13, or

for determining the amount of money, if any, payable on account thereof to Government and for the payment of such money; or

in order that any mark, required by law or by these Rules to be affixed thereto, may be so affixed.

APPENDIX A.

Routes by which alone timber and other forest produce may be moved into or from any of the following districts (namely):—

Kanara District.

1. Tinaighat road.
2. Majali road.
3. Mouth of the Kaliuadi River, Sadashivgad, Kodihag and Kudra Bandars.
4. Karwar Bandar.
5. Belikeri Bandar.
6. Ankola Bandar.
7. Mouth of the Gangavali River, Munjgooni, Gangvali and Gandbala.
8. Mouth of Tudri River, Tudri Agnashini, Mirjan, Hegde, Dewgi, Mouki and Oupinputtum Bandars.
9. Modeshwar Bandar.
10. Mouth of the Venktapur River (Sherali and Venkatapur Bandars).
11. Bhatkal River (Bhatkal Bandar).
12. Gersapaghat road to Talguppa (Gersapa and Honawar Bandars).
13. Siddapur road to Sorab *viâ* Warda.
14. Sirsi to Sorup *viâ* Banavasi.
15. Sirsi to Samasgi *viâ* Dasankop.
16. Sirsi to Hengal and Bankapur *viâ* Pala.
17. Katur to Marguddi.
18. Mundgod to Bankapur *viâ* Sauvali.
19. Mundgod to Turuas *viâ* Wargatti.
20. Yellapur to Hubli *viâ* Kirvatti.
21. Haliyal to Dharwar *viâ* Mavinkop.
22. Haliyal to Belgaum, Madanhalli.
23. Unshighat road *viâ* Supa and Shitovde to Belgaum.
24. Supa *viâ* Jagalbet Amod and Hemarge to Khanapur.

Dharwar, Belgaum and Kaladgi Districts.

Every made road maintained from Imperial, Provincial, Local or Forest Funds, and, with the special permission of the Conservator of Forests, any other road.

Penalties.—Any person who breaks any of the foregoing rules shall be punished with imprisonment for a term which may extend to six months or fine which may extend to five hundred rupees or both.

Note.—No fee is charged for the local pass that the holder of a foreign pass is obliged to take out under Rule 5 of the Bombay Transit Rules, beyond a charge of 2 pies per pass to cover its printing cost.

I. CAMPBELL WALKER, COL.,
Conservator of Forests in Mysore.